

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROMERO MONTE THOMAS,

Case No. 20-10128

Plaintiff,
v.

F. Kay Behm
United States District Judge

DOUGLAS SMITH, *et al.*,

David R. Grand
United States Magistrate Judge

Defendants.

**OPINION AND ORDER ACCEPTING AND ADOPTING
THE MAGISTRATE JUDGE’S OCTOBER 16, 2024
REPORT AND RECOMMENDATION (ECF No. 260)**

Currently before the court is Magistrate Judge David R. Grand’s October 16, 2024 Report and Recommendation. (ECF No. 260). Magistrate Judge Grand recommends granting Defendants’ motion for summary judgment (ECF No. 255) on the basis of failure to exhaust administrative remedies. (ECF No. 260). The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. “[T]he failure to object to the magistrate judge’s report[] releases the Court from its duty to independently review the matter.” *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge’s recommended disposition. Therefore, the court

ACCEPTS and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 260), **GRANTS** Defendants' motion for summary judgment (ECF No. 255) and **DISMISSES** the complaint with prejudice.

SO ORDERED.

Date: November 15, 2024

s/F. Kay Behm

F. Kay Behm

United States District Judge